

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.
065483-0970

In Re Application Of: Wilfried Lubisch

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/830,992	May 3, 2001	Laura Lynne Stockton	38,939	1626	7169

Invention: **SUBSTITUTED 2-PHENYLBENZIMIDAZOLES, THE PRODUCTION THEREOF AND THEIR USE**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **April 1, 2008** finally rejecting Claim(s) **1-10, 14, 16-24, 26**

The fee for this Notice of Appeal is: **\$510.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **04-2223**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **August 5, 2008**

**Gregory M. Zinkl, Ph.D.
Dykema Gossett
10 South Wacker Drive
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Chicago, IL 60606
Reg. No. 48,492**

hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450" [37 CFR 1.8(a)] on
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